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EPAct 2005 Section 701 Waiver and Compliance Process

Process Changes & Implications for FAST Reporting

INTERFUEL – June 10, 2020

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Energy Policy Act 2005 Section 701

- **Requires relevant vehicles in EPOA-covered Federal agency fleets to consume alternative fuel when available**
- **Department of Energy (DOE) implemented process by which:**
 - Agencies may request waivers for alt fuel vehicles without access to fuel
 - DOE reviews those waiver requests
 - DOE evaluates agency compliance with EPOA's alt fuel consumption requirement



Waiver Process: Recent History

- **Agencies submitted waiver requests through FAST during June data call**
 - Exemptions for the coming FY for vehicles w/o access to alt fuel
 - Waivers based on fuel availability or cost
 - Requests based on vehicle location, fuel type/configuration
- **DOE's federal fleet program team reviewed waiver requests during July / August**
 - Approved or rejected each group of waiver requests, based on
 - Vehicle garage location
 - Vehicle fuel type/configuration
 - Fueling infrastructure location from DOE's Alt Fuel Data Center (AFDC)
 - Approved / rejected requests communicated to agencies in August / September
- **Agencies used waivers to manage fuel consumption in compliance with EPA requirement through year**



Fleet Reporting: Recent History

- **FAST vehicle-level data reporting during October – December**
 - Data element S-2, “EPA Act 2005 Section 701 Designation”
 - Agency indicated whether each vehicle, for prior year, was
 - *Exempt* from the requirement for alt fuel consumption
 - Had been *granted a waiver* from the requirement
 - Was *subject to the requirement* (i.e., no waiver)
 - Provided two ways to look at how agencies were performing vs the requirement
 - How closely did waiver requests align with reported 701 designations?
 - For vehicles without waivers, did their fuel consumption show compliance?



Time Passes, Things Change

- **More agencies using DOE's FleetDASH system to review alt fuel consumption**
 - More vehicles with transaction-level fueling data
- **Beginning 2017, FAST gets majority of (now all) fleet vehicles as vehicle-level data**
 - All fleet vehicles now reported with detailed location data



Time Passes, Things Change

- **Federal Fleet Team: Can we take advantage of these changes to get a better 701 process?**
 - Simpler / less work for agencies?
 - Take advantage of new data?
 - Better characterization of compliance with EPCRA's alt fuel consumption requirement?
 - **Yes!**
 - Conversations with agencies started several years ago
 - Revamped process formally approved, guidance issued by DOE in March 2020
 - Important changes to both FAST and FleetDASH



Changes to FAST Reporting

- **How do we accomplish this *without breaking everything*?**
 - Allow agencies to take advantage of revamped process
 - Transition to new process and provide time for agency systems and processes to change
- **Re-purpose (gently!) existing data element S-2, “EPAct 2005 Section 701 Designation”**
 - Change from designation of whether each vehicle was covered / waived for past year...
 - ... to designation of how agency wants vehicle to be treated for coming year
 - Is the vehicle subject to the requirement?
 - How should the vehicle be evaluated vs. the requirement?
 - Does it need a waiver?
 - If a waiver is needed, what is the basis for the waiver?



Changes to FAST Reporting

- **Data element S-2, “EPA 2005 Section 701 Designation”**
 - New set of designations supported Fall 2020 for FY 2020 fleet data reporting:
 - **EXEMPT** – Vehicle is exempt from EPA 2005 alt fuel consumption requirement
 - **NO-WAIVER** – Vehicle is subject to EPA 2005 alt fuel consumption requirement and does not require a waiver (i.e., will consume only alt fuel)
 - **WREQ-DISTANCE** – Vehicle is subject to requirement, but needs a waiver based on distance to alt fuel
 - **WREQ-NOACCESS** – Vehicle is subject to requirement, but needs a waiver based on access restrictions to alt fuel
 - **WREQ-FUELCARD** – Vehicle is subject to requirement, but needs a waiver based on lack of support for fleet fuel card(s) where alt fuel is available
 - **WREQ-COST** – Vehicle is subject to requirement, but needs a waiver based on cost of alt fuel



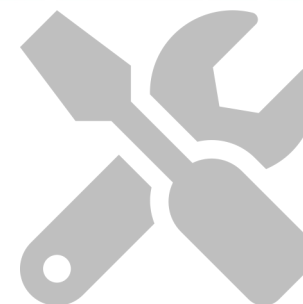
Changes to FAST Reporting

- **Data element S-2, “EPAct 2005 Section 701 Designation”**
 - New set of designations supported Fall 2020 for FY 2020 fleet data reporting:
 - EXEMPT
 - NO-WAIVER
 - WREQ-DISTANCE
 - WREQ-NOACCESS
 - WREQ-FUELCARD
 - WREQ-COST
 - **FLEETDASH** – Vehicle is present in FleetDASH; FleetDASH will be used as basis for evaluating compliance
 - **DEFAULT** (or not specified) – FAST and fleet team will use agency and vehicle attributes to determine designation



Changes to FAST Reporting

- **Data element S-2, “EPAct 2005 Section 701 Designation”**
 - Previous values for data element still supported
 - *Deprecated: still allowed but will be retired in the future*
 - Re-interpreted in manner that makes sense under new process:
 - Old **EX** = New **EXEMPT**
 - Old **COV** = New **NO-WAIVER**
 - Old **WAIV** = New **WREQ-DISTANCE**
 - Keeps existing systems and processes from breaking until they can be updated
 - Updated validation rules
 - Analogous to current rules for S-2
 - Tuned for new designations
 - Revised interpretations of older deprecated designations
 - Ignore disposed vehicles



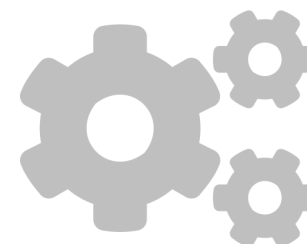
Changes to FAST Reporting

- **Data element S-2, "EPA 2005 Section 701 Designation"**
 - How does **DEFAULT** (or not specified) get interpreted?
 - **EXEMPT**
 - Non-EPA covered agency vehicles
 - Foreign vehicles
 - Disposed vehicles
 - LE / ER vehicles
 - Dedicated / single fuel configuration vehicles
 - **FLEETDASH**
 - EPA covered agency vehicles with dual / flex fuel configuration known to be in FleetDASH
 - **NO-WAIVER**
 - All other vehicles (i.e., EPA covered agency + domestic + non-LE / ER + dual / flex fuel configuration + not in FleetDASH)
 - **DEFAULT** is *intentionally* powerful!
 - Agencies are encouraged to use it to streamline reporting



What Happens After Reporting?

- **Vehicles in FleetDASH**
 - Evaluated for compliance using FleetDASH and fuel transaction data
- **Vehicles not in FleetDASH**
 - Agency completes fall fleet data submission
 - Information exported from FAST for fleet team to review waiver requests
 - Fleet team reviews and approves / rejects each waiver request
 - Review result (approved / denied waiver) imported back into FAST for each vehicle
 - Review result exposed through FAST query tool and communicated to agency POCs
 - Agency compliance evaluated based on
 - Coverage designations
 - Approved / denied waiver requests
 - Reported fuel consumption



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